

NOTICE OF OBJECTION TO CONFIRMATION

WELLS FARGO BANK, N.A. has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103

Isabel C. Balboa, Trustee
Cherry Tree Corporate Cen, 535 Route 38 - Suite 580
Cherry Hill, NJ 08002

Attend the hearing scheduled to be held on 08/21/2019 in the CAMDEN Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: June 14, 2019

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

File No. 826352

Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard
Philadelphia, PA 19103
856-813-5500
FAX Number 856-813-5501
WELLS FARGO BANK, N.A.

In Re:

KERRY A. BOWERS

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

Chapter 13

Case No. 19-20692 - JNP

Hearing Date: 08/21/2019

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, WELLS FARGO BANK, N.A., the holder of a Mortgage on Debtor's residence located at 127 WOODBERRY DRIVE, EGG HARBOR TOWNSHIP, NJ 08234 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

1. Secured Creditor is in the process of drafting and filing a Proof of Claim.

The approximate arrears are \$169,833.27.

2. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C.

§1322(b)(5).

3. Debtor's Plan currently provides for payment to Secured Creditor in the amount of \$0.00. Secured Creditor therefore objects to Debtor's Plan as it is underfunded. Debtor's Plan should be amended to fully fund the arrears owed to Secured Creditor or Confirmation should be denied.

4. Debtor's Plan is speculative in nature in that it contemplates curing these arrears through a loan modification that has neither been offered nor approved. Secured

Creditor further objects to any post-petition monthly payment amount less than the full amount required under the terms of the loan documents. Debtor's failure to provide full post-petition mortgage payments will only increase the arrears owed to Secured Creditor.

WHEREFORE, WELLS FARGO BANK, N.A. respectfully requests that the Confirmation of Debtor's Plan be denied.

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

Dated: June 19, 2019

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

826352
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
856-813-5500
Attorneys for WELLS FARGO BANK, N.A.

In Re:

Kerry A. Bowers

Case No: 19-20692 - JNP

Hearing Date: _____

Judge: JERROLD N. POSLUSNY
JR.

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Melissa Reiner:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC,
who represents WELLS FARGO BANK, N.A. in the above captioned matter.

☐ am the _____ in the above case and am representing
myself.

2. On June 19, 2019 I sent a copy of the following pleadings and/or documents
to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent
using the mode of service indicated.

Dated: June 19, 2019

/s/ Melissa Reiner
Melissa Reiner

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Kerry A. Bowers 127 Woodberry Drive, Egg Harbor Township, NJ 08234	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Thomas E. Dowey, Esquire 1423 Tilton Road Suite 8 Northfield, NJ 08225	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa, Trustee Cherry Tree Corporate Cen 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.